



October 18, 2022

Honorable Judge Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

*via ECF e-file*  
*cc: Torres\_NYSDChambers@nysd.uscourts.gov*

Re: *Hamilton v. Hernandez et al*, Case No. 1:22-CV-06172-AT  
Request to sign proposed order on the Court's decision to grant alternative service

Dear Judge Torres:

I represent Plaintiff Warren Hamilton Jr. in the above referenced case.

I note that on October 17, 2022, with regards to the Court's Order on Document Number 45, a docket text entry was entered on the ECF system, stating:

ORDER granting [41] Motion to Serve; granting [44] Letter Motion for Extension of Time. GRANTED.

But the text of your order, on the face of Document Number 45, which is a copy of Plaintiff's letter motion for extension of time to serve Defendant Hernandez, merely states: "GRANTED. Plaintiff's deadline for serving Defendant is extended until December 18, 2022. SO ORDERED." There is no statement on the face of the order that states the Court also granted Plaintiff's amended motion for alternative service on Hernandez [Doc No 41].

Based on the docket text entry, Plaintiff understands that your honor has granted both motions. But with regards to your honor's decision to grant Plaintiff's Amended Motion for Alternative Service on Hernandez, your honor's decision to grant Plaintiff's Amended Motion for Alternative service is not clear on the face of the actual order [ECF Doc 45] that was signed.

Plaintiff had submitted his proposed order [ECF Doc 43] with the filing of Plaintiff's Amended Motion for Alternative Service.

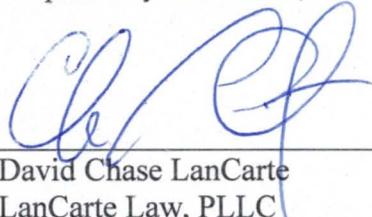
Given that Defendant Hernandez will be alternatively serving Defendant Hernandez, I believe that having an order that specifically states on its face the Plaintiff may alternatively serve Defendant Hernandez by serving his probation officer would greatly assist the probation officer in understanding why she is being served and further inform Defendant Hernandez that such service is proper and in accordance with the Court's order.

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Accordingly, before Plaintiff proceeds to alternatively serve Defendant Hernandez, Plaintiff respectfully requests that the Court sign the proposed order [ECF Doc 43], so that the Court's ruling to grant Plaintiff's amended motion for alternative service is understood to parties outside of the present proceedings.

Respectfully Submitted,



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David Chase LanCarte  
LanCarte Law, PLLC  
2817 West End Ave., Suite 126-276  
Nashville, Tennessee 37203  
Tel: 214-935-2430  
Fax: 214-934-2450  
[chase@lancartelaw.com](mailto:chase@lancartelaw.com)

**ATTORNEY FOR PLAINTIFF  
WARREN HAMILTON, JR.**

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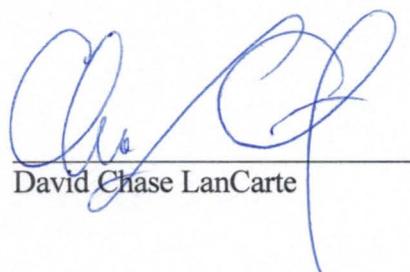
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### **CERTIFICATE OF SERVICE**

I do hereby certify that I have forwarded a true and correct copy of the above and foregoing pleading in this cause to all counsel of record on this 18<sup>th</sup> day of October, 2022 by electronic filing or U.S. mail or email.

Timothy Matson, Esq.  
Philip Z. Langer, Esq.  
Fox Rothschild, LLP  
101 Park Avenue, Suite 170  
New York, NY 10178  
Tel: 612-607-7064  
Fax: 612-607-7100  
tmatson@foxrothschild.com  
planger@foxrothschild.com  
**Attorneys for Defendant TenThousand Projects, LLC**

Richard S. Mandel, Esq.  
Cowan, Liebowitz & Latman, P.C.  
114 West 47<sup>th</sup> Street  
New York, New York 10036  
Tel: 212-790-9200  
Fax 212-575-0671  
rsm@cll.com  
**Attorney for Defendant UMG Recordings, Inc.**



David Chase LanCarte